

## CONTINUATION OF CRIMINAL COMPLAINT

I, Benjamin Glynn, being duly sworn, depose and state as follows:

### Introduction

1. During the past year, I have participated in a multi-agency investigation into the use, possession, and transfer of firearm “switches” in West Michigan. Switches go by several names, including “auto sears,” “Glock auto sears,” and “Glock switches.” However referenced, their design and function is to transform semi-automatic firearms into machineguns.

2. Through the investigation, police and federal agents discovered evidence of a number of firearms and drug crimes involving people in Benton Harbor and Grand Rapids, Michigan. This continuation describes certain fruits of that investigation.

3. This continuation is provided in order to obtain arrest warrants for the following individuals (collectively, the “Target Subjects”) and offenses:

| Target Subject   | Offense  | Statute                     |
|------------------|--|-----------------------------|
| EVORION ANDERSON | Distribution of Methamphetamine                | 21 U.S.C. § 841(a)(1)       |
|                  | Conspiracy to Distribute Methamphetamine       | 21 U.S.C. §§ 846, 841(a)(1) |
| JAYVON ANTHONY   | Possession or Transfer of a Machinegun         | 18 U.S.C. § 922(o)          |
|                  | Felon in Possession of a Firearm               | 18 U.S.C. § 922(g)(1)       |
|                  | Conspiracy to Possess or Transfer a Machinegun | 18 U.S.C. §§ 371, 922(o)    |

| Target Subject     | Offense   | Statute                     |
|--------------------|---|-----------------------------|
| EARL AUSTIN IV     | Distribution of Methamphetamine                 | 21 U.S.C. § 841(a)(1)       |
|                    | Conspiracy to Distribute Methamphetamine        | 21 U.S.C. §§ 846, 841(a)(1) |
|                    | Possession or Transfer of a Machinegun          | 18 U.S.C. § 922(o)          |
|                    | Felon in Possession of a Firearm                | 18 U.S.C. § 922(g)(1)       |
| QUINCY BOWMAN      | Conspiracy to Possess or Transfer a Machinegun  | 18 U.S.C. §§ 371, 922(o)    |
| OMARION BRANCH     | Felon in Possession of a Firearm                | 18 U.S.C. § 922(g)(1)       |
| TOREZ BURNETT      | Conspiracy to Possess or Transfer a Machinegun  | 18 U.S.C. §§ 371, 922(o)    |
| NICHOLAS HALLO     | Felon in Possession of a Firearm                | 18 U.S.C. § 922(g)(1)       |
| DEMETRIUS SEUELL   | Possession or Transfer of a Machinegun          | 18 U.S.C. § 922(o)          |
|                    | Conspiracy to Possess or Transfer a Machinegun  | 18 U.S.C. §§ 371, 922(o)    |
| TIM THOMAS         | Felon in Possession of a Firearm and Ammunition | 18 U.S.C. § 922(g)(1)       |
| ARMANDO VILLANUEVA | Conspiracy to Possess or Transfer a Machinegun  | 18 U.S.C. §§ 371, 922(o)    |
| ERIC WILLIAMS      | Conspiracy to Possess or Transfer a Machinegun  | 18 U.S.C. §§ 371, 922(o)    |

4. This continuation is also submitted in support of applications for warrants to search the following premises (collectively, the “Subject Premises”) for evidence of the offenses indicated below:

| Subject Premises  | Target Offenses  | Statute                  |
|---|--|--------------------------|
| COLUMBUS PREMISES<br><br>1089 Columbus Avenue<br>Benton Harbor, MI  | Possession and Transfer of a Machinegun                    | 18 U.S.C. § 922(o)       |
|   | Conspiracy to Possess and Transfer a Machinegun            | 18 U.S.C. §§ 371, 922(o) |
|   | Sale or Disposition of a Firearm to a Prohibited Person    | 18 U.S.C. § 922(d)       |
| CONCORD PREMISES<br><br>150 Concord Avenue<br>Benton Harbor, MI     | Possession with Intent to Distribute Controlled Substances | 21 U.S.C. § 841(a)       |
|   | Conspiracy to Distribute Controlled Substances             | 21 U.S.C. §§ 841(a), 846 |
| HIGHLAND PREMISES<br><br>1082 Highland Avenue,<br>Benton Harbor, MI | Possession with Intent to Distribute Controlled Substances | 21 U.S.C. § 841(a)       |
|   | Conspiracy to Distribute Controlled Substances             | 21 U.S.C. §§ 841(a), 846 |
|   | Possession and Transfer of a Machinegun                    | 18 U.S.C. § 922(o)       |
|   | Conspiracy to Possess and Transfer a Machinegun            | 18 U.S.C. §§ 371, 922(o) |
|   | Felon in Possession of a Firearm                           | 18 U.S.C. § 922(g)(1)    |

| Subject Premises   | Target Offenses  | Statute                  |
|--|--|--------------------------|
| TAYLOR PREMISES<br><br>2000 Taylor Street<br>Benton Harbor, MI | Possession with Intent to Distribute Controlled Substances | 21 U.S.C. § 841(a)       |
|  | Conspiracy to Distribute Controlled Substances             | 21 U.S.C. §§ 841(a), 846 |

5. This continuation contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this continuation.

#### **Agent Background**

6. I am an agent with the Federal Bureau of Investigation and have been so employed since January 2017. I am currently assigned to the FBI Detroit Field Office, St Joseph Resident Agency. Prior to becoming an agent, I was a police officer and detective with the Rock Hill (SC) Police Department for six years. I have spent most of my time as both an agent and detective investigating drug and gun violations, and the criminal networks responsible for those violations. As a police officer, I was a member of the Street Crimes Unit for two years, during which time my focus was on interdicting violent actors in my city responsible a large percentage of the violent shooting incidents and drug distribution. I also spent two years with the Violent Crime Unit, which conducted long-term investigations into the national street gangs and neighborhood-based gangs which were responsible for much of the gun and drug violations. Since becoming a federal agent, I have been a member of the FBI Benton Harbor Safe Streets Task Force and have

led that Task Force for the past four years. During that time, I have had a similar focus on combating the drug-trafficking organizations and violent neighborhood-based gangs prevalent in the Benton Harbor community.

7. I have participated in numerous investigations involving violations of federal firearms and narcotics laws. Through these investigations, my training and experience, and conversations with other agents and law enforcement personnel, I have become familiar with the methods used by traffickers to smuggle and safeguard narcotics, to distribute narcotics, to possess firearms in furtherance of safeguarding narcotics, and to collect and launder drug-related proceeds. I have also become familiar with the methods and communications used by those who illegally possess and traffic firearms, including switches. These investigations have resulted in the arrest and conviction of criminal defendants and the seizure of firearms and narcotics. I have previously been the affiant for many federal search warrants and have assisted other state and local agencies, as well as Assistant United States Attorneys, in the preparation of affidavits for search warrants.

8. People who distribute controlled substances and firearms often maintain a supply of controlled substances, firearms, and related items for distribution at a safe location to which they have access, such as in their residence, in their vehicle, or on their person.

9. Illegal transactions for controlled substances and firearms are typically conducted in cash, or in exchanges involving electronics or other high-value property. As a result, people who illegally distribute controlled substances and firearms often possess

cash and other high-value property related to illegal drug transactions. Furthermore, people who illegally distribute controlled substances and firearms often store proceeds and records of their transactions in secure locations within their residences or vehicles for ready access and to conceal them from law enforcement. Finally, people who illegally distribute controlled substances and firearms often possess items that may be used to count and package cash proceeds, including (but not limited to) heat-sealing devices, plastic packaging, rubber bands, and money-counting devices

10. People who distribute controlled substances often possess items that may be used to package, process, dilute, weigh, and distribute, or otherwise facilitate transactions involving controlled substances, including (but not limited to) scales, funnels, sifters, grinders, glass panes and mirrors, razor blades, plastic bags, and heat-sealing devices.

11. People who illegally distribute controlled substances and firearms often maintain books, records, receipts, notes, ledgers, money orders, and other documentation relating to the transportation, ordering, sale, and distribution of controlled substances. Such items are often maintained at a safe location to which the person has access, such as their residence, their vehicles, on their person, or as electronic files on a cell phone.

12. People who illegally distribute controlled substances and firearms often maintain records reflecting names, nicknames, addresses, telephone numbers, and other contact or identification information for criminal associates.

13. People who distribute controlled substances often keep and use firearms and related items (such as magazines, holsters, cases, and ammunition) during and in

furtherance of their drug distribution activities, and specifically to protect their drugs and proceeds from drug distribution. It is also common for people who sell drugs out of their homes to maintain firearms there in order to protect themselves, their drugs, and their proceeds.

14. People who illegally distribute controlled substances and firearms often use secure containers, such as safes or safety deposit boxes, to secure the proceeds of their criminal transactions.

15. People involved in the illegal distribution of controlled substances and firearms typically use cellular telephones in connection with their distribution activities, including to plan, execute, and coordinate their purchases and sales. Accordingly, cellular phones used by people who illegally distribute controlled substances and firearms frequently contain evidence of their distribution activities. Such evidence may include communications regarding drug or firearm deals; photographs or videos of drugs, currency, firearms, or coconspirators; audio or video files reflecting or concerning drug or firearm transactions; and internet activity regarding drug or firearm transactions.

16. Illegal transactions involving controlled substances or firearms are frequently conducted in cash. For this reason, people involved in the distribution of controlled substances frequently have significant quantities of cash in their possession. Such transactions may also be conducted using payment applications that can be accessed using cellular phones, such as Venmo and PayPal.

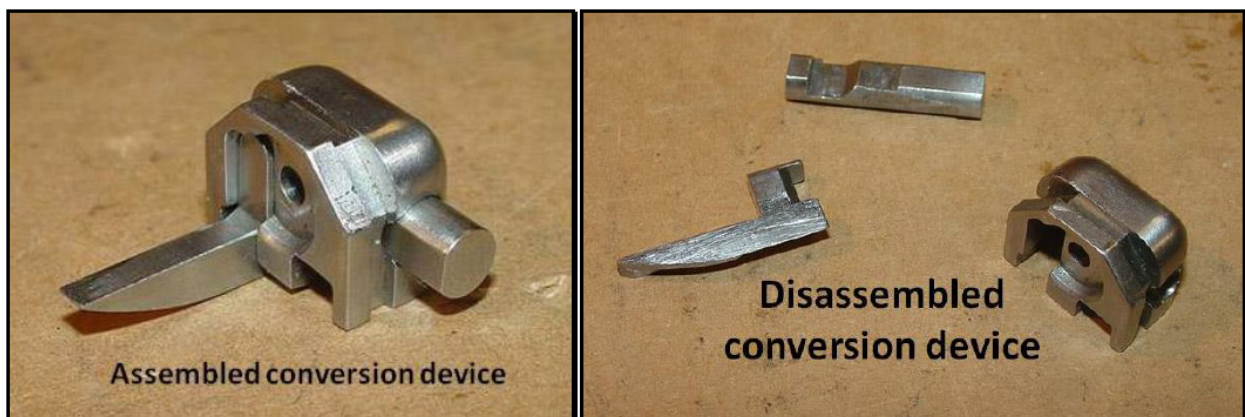
17. People involved in the illegal distribution, receipt, or possession of controlled substances or firearms often maintain and use cellphones to facilitate their illegal activities.

18. Cellular phones may be used to access social media websites such as Facebook and Instagram, and people involved in the illegal distribution, receipt, or possession of controlled substances or firearms often use social media to communicate with suppliers, customers, and peers involved in the same activities.

19. People with cellular phones use them to communicate about all manner of subjects, including their own state of mind and knowledge. People who use cellular phones often succumb to the illusion that their phone use is private, which encourages them to make candid communications.

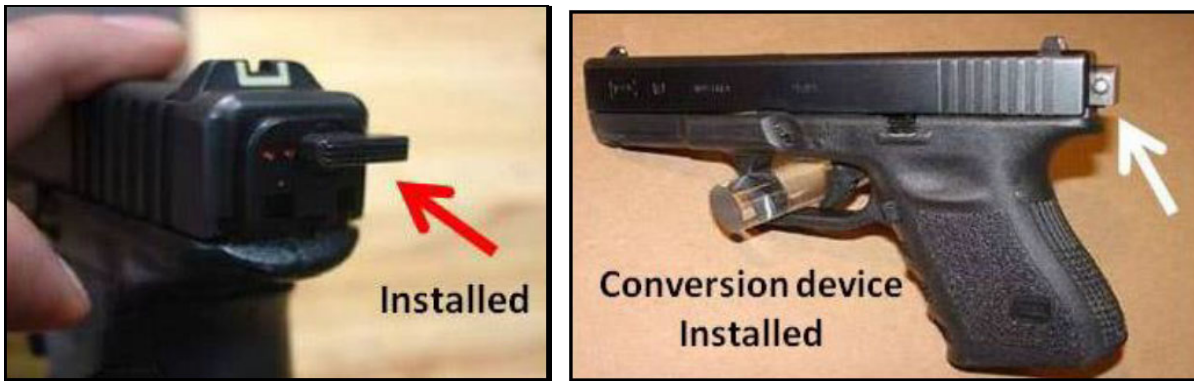
### **Switches**

20. Switches can be made of either metal or a polymer commonly used in 3D-printers. Regardless of its material, a switch typically has three parts, as shown below:



21. A switch can be installed with little technical knowledge in approximately one minute by substituting it for the original slide cover plate, as shown below:





22. When a switch is installed on a pistol and the trigger is pulled, the pistol will fire until the trigger is released or the magazine is empty. A Glock pistol affixed with a switch can fire over 1,000 rounds per minute.

23. According to 26 U.S.C. § 5845(b), “the term ‘machinegun’ means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” The same provision adds that “machinegun” also means “any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.” Under this definition, a switch itself is a “machinegun,” even if it is not attached to a firearm. *See United States v. Dodson*, 519 F. App’x 344, 347–349 (6th Cir. 2013).

24. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) is not aware of any switches having been produced before May 19, 1986. As a result, switches are governed by the Gun Control Act, 18 U.S.C. § 922(o), which prohibits the transfer or possession of a machinegun manufactured after May 19, 1986. Such machineguns may be lawfully possessed only by appropriately licensed people who have paid a required

Special Occupational Tax and are authorized by the United States or a statutorily recognized subpart. None of the people named in this continuation are licensees with the appropriate authorization.

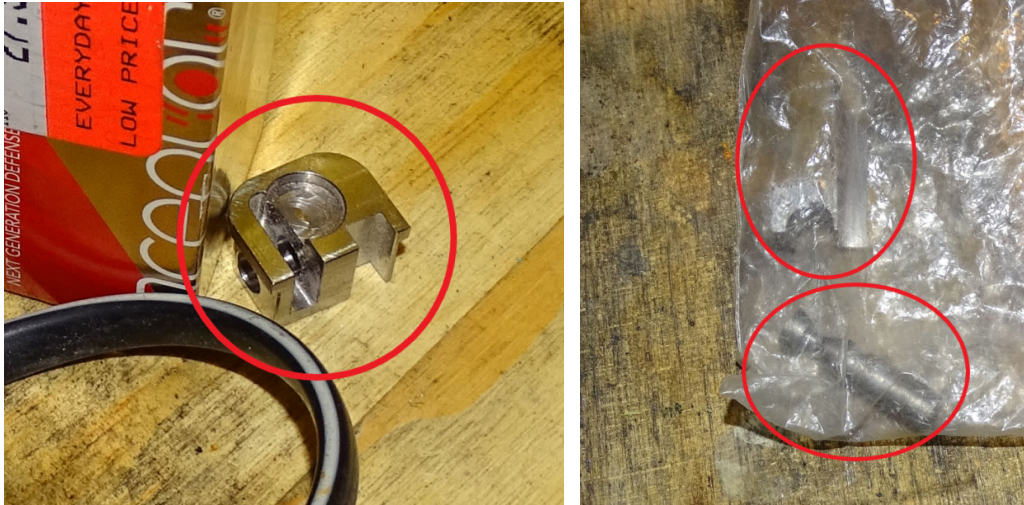
**December 2021: Investigators search TOREZ BURNETT's house and find switch parts inside**

25. On December 22, 2021, police executed a State of Michigan search warrant at 1089 Columbus Avenue, Benton Harbor, MI (the "COLUMBUS PREMISES"). The warrant sought evidence that Lyondre Burnett ("LYONDRE") unlawfully possessed firearms. LYONDRE is a felon, having been convicted of carrying a concealed weapon in a State of Michigan court in 2020.

26. Inside the COLUMBUS PREMISES, police found Isheria Jackson and Torez Burnett ("TOREZ"). Police interviewed Jackson and TOREZ, and learned that Jackson is TOREZ's and LYONDRE's mother, and also that Jackson and TOREZ lived at the COLUMBUS PREMISES.

27. TOREZ said LYONDRE had recently moved out of the COLUMBUS PREMISES, but still spent time there. Jackson said she kicked LYONDRE out of the COLUMBUS PREMISES because she blamed him for the COLUMBUS PREMISES having been shot at in the past year.

28. During the search of the COLUMBUS PREMISES, investigators found firearms, firearm parts, and small pieces of metal that investigators later identified as switch parts, pictured below:



29. In addition to the switch parts, investigators found printed instructions describing how to affix a switch to a semi-automatic handgun. They also found the backplate of a Glock handgun and a Glock handgun without a backplate. Based on my training and experience, I understand that a pistol's backplate must be removed to equip the pistol with a switch. Below are images of the backplate, circled in red, and the Glock handgun without a backplate:



30. Investigators determined that LYONDRE used Facebook to communicate with others about switches, including with Eric WILLIAMS.<sup>1</sup> According to WILLIAMS's Facebook account, in December 2021, one week before police searched the COLUMBUS PREMISES, this conversation occurred:

**WILLIAMS:** Bitch you ain't hit me up bout no glocky.

**LYONDRE (voice message):**<sup>2</sup> Aye on gang bro, I ain't, I ain't gone bap. That's bro shit, that ain't even my shit. But, I hit you about the AR though. But, you know, it's Killa want that bitch now though, shit. But whichever one of y'all want that bitch. But I can get you the, the, the, the G-lock though, it depends on what you talking. I could just get you the switch itself for 700.

31. Based on my training, experience, and knowledge of the investigation, I understand from these messages that WILLIAMS complained that LYONDRE did not offer him a Glock handgun ("Bitch you ain't hit me up bout no glocky"), and that LYONDRE replied that the gun belonged to his brother ("that's bro shit, that ain't even my shit"). I understand LYONDRE's further statements as offering to sell WILLIAMS either a Glock handgun with an affixed switch ("G-Lock") or a switch unaffixed to a handgun ("just get you the switch itself for 700").

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<sup>1</sup> Part of this investigation involved obtaining search warrants to seize the content of various Facebook accounts for review. There is a paragraph near the end of this continuation that lists Facebook accounts referenced herein that investigators have identified as belonging to a particular person. It also names each such person and states the basis for believing the account is theirs, and, where applicable, identifies the search warrant that authorized the account's seizure.

<sup>2</sup> While reviewing LYONDRE's publicly accessible Facebook account, I watched videos of him speaking and became familiar with the sound of his voice. Based on this and other evidence that this Facebook account belongs to LYONDRE, I determined that LYONDRE was the person speaking in this voice message.

32. In the same exchange, in response to LYONDRE, WILLIAMS wrote:

Shit I'll buy the whole glock  
Or I can buy the switch separate it don't matter to me fr

33. Police also obtained and reviewed content from the Facebook account "MoneyAffiliated KingGhost." The account shows that, on the same day LYONDRE discussed switches with WILLIAMS, he exchanged the following messages with "MoneyAffiliated KingGhost," referred to below as "KingGhost":

**LYONDRE:** I can get you a switch for 600

**KingGhost (voice message):** I want the whole thing like it is, fuck all that switch shit. I need the whole thing, like it is nigga.

34. The Facebook conversation continued for weeks, leading to this exchange:

**KingGhost (voice message):** Cuz, I need a hundred round drum for that AR, man. That bitch like asap.

**LYONDRE:** Finna see if lil bro can get one and how much it will be

35. Based on my training, experience, and knowledge of the investigation, I understand from these messages that LYONDRE offered KingGhost a switch for \$600 ("I can get you a switch for 600"), and that KingGhost declined ("fuck all that switch shit") and requested a firearm with a switch already affixed ("I need the whole thing, like it is"). I further understand that, in the latter part of the conversation, KingGhost requested an assault rifle magazine capable of holding 100 rounds of ammunition ("I need a hundred round drum for that AR"), in response to which LYONDRE agreed to ask his brother to obtain one ("Finna see if lil bro can get one").

**March 2022: Investigators seize parcels filled with switches**



36. On March 7, 2022, federal agents seized and opened two parcels that were sent from China to a residence in Benton Harbor (the “Seized Parcels”). A phone number on the shipping label was (269) 908-5538 (“5538”). The Seized Parcels contained 10 switches total, and were addressed to “Brayden Bowman” at 1020 Ogden Avenue. Investigators were unable to identify anyone named “Brayden” associated with the address. But through research into Michigan Secretary of State records, investigators found that members of the Bowman family, including Quincy BOWMAN, previously reported living at 1020 Ogden Avenue when applying for a State of Michigan identification card or driver’s license.

37. Investigators removed the switches from the Seized Parcels and replaced them with harmless objects that resembled switch parts. Investigators then applied for a warrant to search 1020 Ogden Avenue, which was issued by U.S. Magistrate Judge Ray Kent (1:22-mj-128).

38. Investigators delivered the Seized Parcels to 1020 Ogden Avenue, and then executed the search warrant. While the search was ongoing, BOWMAN approached the address. At the time, BOWMAN was on felony probation through the State of Michigan, and part of his probation order required him to “submit to a search of [his] person or property” based on reasonable cause to believe he had “items which violate the conditions of [his] probation.”

39. Police detained BOWMAN, seized his phone, and reviewed its contents. Police found messages between BOWMAN and phone number (269) 759-9950 (“9950”), which was stored in the phone as “Kabbo,” in which the two discussed a parcel that was

delivered to 1020 Ogden Avenue weeks earlier, on February 14, 2022. A subpoena was issued to T-Mobile seeking subscriber information for 9950, and the response indicated the subscriber was TOREZ. Local investigators were familiar with TOREZ from previous investigations and knew him to use the nicknames “Kabbo” and “Kabbage.”

40. Investigators researched the February 14 parcel described in BOWMAN’s text messages. According to records provided by FedEx, a parcel was delivered to 1020 Ogden Avenue on February 14, 2022, with an identified recipient of “John Bowman.” FedEx’s records indicated that the earlier parcel had a similar weight and description to each of the Seized Parcels and originated from the same province in China.

41. The listed phone number for the February 14 parcel was also the same as the number provided for the Seized Parcels: 5538. Investigators queried the Michigan Department of Corrections (“MDOC”) Offender Management Network Information system, which showed that 5538 was associated with an account registered to TOREZ.<sup>3</sup>

42. MDOC records also show that 5538 was used to place recorded calls to inmates. On March 7, 2022, the day before the federal search warrant described above was executed, TOREZ used 5538 to call and speak with MDOC inmate Stevie Brooks.

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<sup>3</sup> When a person wants to make phone calls to MDOC inmates, they must create an account that contains their name, phone number, and other personal information.

During the call, TOREZ said his “real number” is 9950—the same phone number stored in Bowman’s phone as “Kabbo,” as described above.<sup>4</sup>

43. FedEx records also indicate that on February 21, 2022, another parcel was delivered to 1020 Ogden Avenue from the same province in China as the February 14 parcel and the Seized Parcels. It had a similar weight and description as the Seized Parcels and February 14 parcel. The listed recipient was “Brayden Bowman,” and the listed phone number was 5538, associated with TOREZ as explained above.

44. Investigators issued a summons to find internet protocol (“IP”) addresses that were used to track the February 14 parcel. The results showed that the parcel was tracked on multiple occasions from an IP address assigned to Isheria Jackson, who received service at the COLUMBUS PREMISES.

45. Based on my training, experience, and knowledge of the investigation, I believe the parcels delivered to 1020 Ogden Avenue on February 14 and 21, described above, contained switches, just like the Seized Parcels. I further believe, based on the facts described above and elsewhere in this affidavit, that TOREZ and BOWMAN worked together to have the switches delivered.

**TOREZ communicates about the Seized Parcels with Demetrius SEUELL**

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<sup>4</sup> I compared voice messages sent by TOREZ via his Facebook account to the voice samples from the recorded jail call and confirmed TOREZ was the person speaking with inmate BROOKS.



46. Before and after the parcels described above were delivered, TOREZ and others discussed them on Facebook. According to TOREZ's Facebook account, on February 16, 2022, he and Demitrius SEUELL had the following exchange:

**TOREZ:** I got u a button for 400 rn

**SEUELL:** I'm tryna order 2 of them \$140 joints or atleast 1 & sell it, yk I'm fucked up 💯 💯

**TOREZ:** Bet Lmk

**SEUELL:** Bet

47. Based on my training, experience, and knowledge of the investigation, I understand from these messages that TOREZ offered SEUELL a switch ("button") for \$400 ("400").<sup>5</sup> SEUELL responded that he would rather pay \$140 for two cheaper, lower-quality switches ("joints") because he was low on funds ("I'm fucked up").

48. Also according to TOREZ's Facebook, on February 19, 2022, TOREZ and SEUELL had this exchange:

**TOREZ:** Send Me \$150 on dis order

**TOREZ:** It's time

**SEUELL:** Waiting on a mfka to send me my cheese back now, I got yo cheese rn tho

**TOREZ:** Lmk when u get it on there I'm tryna do dis atleast by Toma

**SEUELL:** Bet, I most definitely need one to put up for when I get another one Ian putting on that other whenever I get it back

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<sup>5</sup> Based on my training, experience, and knowledge of the investigation, I understand that a "button" is another term for a switch. For context, most switches have a button that must be pressed to shift between semi-automatic and fully-automatic fire.

49. Based on my training, experience, and knowledge of the investigation, I understand from these messages that TOREZ's phrase "dis order" referred to an order for switches that TOREZ intended to place the next day ("I'm tryna do dis atleast by Toma"). TOREZ offered SEUELL an opportunity to buy a switch from that order for \$150 ("Send Me \$150"). SEUELL confirmed he had the money ("I got yo cheese") and indicated he was going to save the switch for a firearm he intended to purchase later ("need one to put up for when I get another one").

50. TOREZ's Facebook contains additional conversations with SEUELL:

a. On Saturday, March 5, 2022, SEUELL wrote: "When that package coming?" TOREZ replied: "Tuesday." The next Tuesday was March 8, 2022, which is the same day the Seized Parcels were scheduled to be delivered and the replacement parcels were in fact delivered by law enforcement. Based on my training, experience, and knowledge of the investigation, I understand from these messages that SEUELL checked on the delivery date for the Seized Parcels, which contained a switch he thought he would receive as he had previously discussed with TOREZ. In reply, TOREZ told SEUELL that the switches were scheduled to be delivered on Tuesday, March 8.

b. On March 9, 2022, the day after the search warrant was executed at 1020 Ogden Avenue, TOREZ wrote to SEUELL: "Cashapp my 750 hoe." SEUELL replied: "\$650 bitch you tryna bus my head, you already owe me \$100 plus the \$150 from ts y'all claim just happened wth nigga." Based on my training,

experience, and knowledge of the investigation, I understand from these messages that they were discussing how much money SEUELL owed. TOREZ believed SEUELL owed \$750, while SEUELL believed he owed \$650. Part of SEUELL's reasoning stemmed from his belief that TOREZ owed him \$150 ("you already owe me . . . \$150") that SEUELL had paid for a switch that TOREZ was no longer going to deliver because, according to TOREZ, it had been seized by police in connection with the search warrant executed the day before ("ts [the shit] y'all claim just happened").

#### **TOREZ communicates about the Seized Parcels with Eric WILLIAMS**

51. TOREZ's Facebook account reveals that he also communicated about switches and parcels with WILLIAMS on February 5, 2022:

**WILLIAMS:** Aye fool let get that 29 for 16

**WILLIAMS:** N I wanna buy that one n put it on my .45

**TOREZ:** I'll do 18 I got taxed on dis Bih I gave up my gen 5 23 nd sum cheese

**WILLIAMS:** Man fool I feel it I slight ain't trynna pay that much cheese tho no cap especially since I'm really just trynna get the switchy frfr

**WILLIAMS:** That's why I said I'll grab that ho for 16

**TOREZ:** Igh man 17 😊 yo Ass stay willing and dealing it work everytime 🤔

**WILLIAMS:** Man bitch you can do 16

**WILLIAMS:** I'm finna hit the road ina sec

**TOREZ:** So 23 In All

**WILLIAMS:** Bet

**TOREZ:** Bet Only Cause It's U Hoe I Gotchu Nd It's Only Gone Take Me 30 Seconds to make da Glizzy do jumping jacks

52. Based on my training, experience, and knowledge of the investigation, I understand from these messages that WILLIAMS and TOREZ negotiated the sale of a firearm equipped with a switch. WILLIAMS offered to buy a Glock Model 29 fitted with a switch ("29") for \$1,600 ("16"). I infer that the Glock Model 29 had a switch because, based on my training and experience, \$1,600 is the approximate street price for a pistol affixed with a switch, and would be overpayment for a pistol without one. WILLIAMS also asked to buy a separate switch ("N I wanna buy that one") to affix to a .45 caliber pistol ("n put it on my .45"). They settled on a total price of \$2,300 ("23"). TOREZ ended the conversation by letting WILLIAMS know it would take him only 30 Seconds ("It's Only Gone Take Me 30 Seconds") to take WILLIAMS' .45 caliber Glock pistol ("Glizzy") and affix the standalone switch to it ("make da Glizzy do jumping jacks").

53. According to TOREZ's Facebook, WILLIAMS and TOREZ continued to communicate using Facebook on February 16, 2022:

**WILLIAMS:** Yooo

**TOREZ:** Yo

**WILLIAMS:** You got any buttons in?

**TOREZ:** I got one u can test nd make sure it's right

**TOREZ:** Pack Touch Down Monday

**WILLIAMS:** Bet

**TOREZ:** 5K For 9

**TOREZ:** It's Dem Good Good Ones

**WILLIAMS:** They all the good ones all 9?

**TOREZ:** Yup like the last ones u got from me

**TOREZ:** Ima have red ones too

**WILLIAMS:** The first ones I got from you or the last ones?

**TOREZ:** Last ones

54. Based on my training, experience, and knowledge of the investigation, I understand that WILLIAMS initially inquired if TOREZ had switches available ("You got any buttons in?"). TOREZ told WILLIAMS he had a package of switches scheduled to arrive on Monday, February 21 ("Pack Touch Down Monday"). TOREZ said the price was \$5,000 for nine switches ("5K For 9") and that they were high quality ("Dem Good Good Ones"), like prior switches TOREZ had provided WILLIAMS ("like the last ones u got from me"). WILLIAMS's question revealed he had received at least two prior deliveries of switches from TOREZ: "the first ones I got from you or the last ones?"

55. Investigators obtained WILLIAMS's Facebook account, which contained pictures of WILLIAMS holding a handgun with an affixed switch, as well as a video of WILLIAMS shooting a handgun with an affixed switch, shown below.



WILLIAMS's driver's license photo obtained from the Michigan Secretary of State.



Photograph of WILLIAMS holding a handgun affixed with a switch (see red circle).



Still image from video of WILLIAMS firing a handgun fully automatically

#### **TOREZ conducts firearm and switch transactions with "Cee Peelback"**

56. Around the same time TOREZ communicated with WILLIAMS, he also communicated with Facebook username "Cee Peelback" regarding firearm and switch transactions, some of which occurred at COLUMBUS PREMISES. According to TOREZ's Facebook, during the evening of February 10, 2022, Peelback sent TOREZ the following image:



57. Shortly after sending this image, Peelback and TOREZ had a short video call, followed by this exchange:

**Peelback:** Killa said wait till toma and bro ina joe w it rn but ima ima call u  
ina am to get this bih Ian gone sell it to nb

**Peelback:** Oms

**TOREZ:** Bet

**Peelback:** Bet

58. Based on my training, experience, and knowledge of the investigation, I understand that Peelback and TOREZ were coordinating a firearm transaction. In the initial photograph, Peelback advertised to TOREZ what firearms he had for sale and the cost of each. Peelback then told TOREZ that another person (“Killa”) said to wait until the following day (“wait till toma”) to complete the transaction because another person (“bro”) had the firearm in Saint Joseph, MI, which directly borders Benton Harbor (“bro ina joe w it rn”). Peelback also said he would call TOREZ in the morning to sell him the firearm (“call u ina am to get this bih”) and would not sell it to anyone else (“Ian gone sell it to nb”). TOREZ affirmed his understanding and agreement (“Bet”).

59. According to TOREZ’s Facebook, the next morning, February 11, TOREZ and Peelback had this exchange:

**Peelback:** You still want that

**TOREZ:** Yea

**Peelback (voice message):** On my way to pick it up right now, I’ma call  
you soon as I get to the hood

**TOREZ:** Bet

**Peelback:** Way

**TOREZ:** Crib

**Peelback:** Was the street again

**TOREZ:** 1089 Co

**TOREZ:** Columbus

60. Approximately 24 minutes later, Peelback messaged, "I'm at the door."

61. Based on my training, experience, and knowledge of the investigation, I understand the above conversation to be the consummation of the firearm transaction discussed the evening prior. TOREZ confirmed he still wanted the firearm ("still want that"), and then identified the COLUMBUS PREMISES address as his "crib." Shortly afterwards, Peelback said he was "at the door," meaning he was at COLUMBUS PREMISES prepared to conduct the transaction they had arranged.

62. According to TOREZ's Facebook, three days later, on February 14, 2022, Peelback and TOREZ continued their conversation, this time regarding a switch. Below is part of the conversation:

**Peelback:** Hm u want for them pieces

**TOREZ:** He might as well just keep that one I can't replace the pieces

**TOREZ:** Nd tell him 6 just shipped out the black ones I gave E

**Peelback:** We already got Ah switch we jus need that piece

**TOREZ:** Bih if I sell da piece Ian gone have one it's gone be useless

**Peelback:** Hm u want for the piece

**TOREZ:** 500 You Gotta Get The Whole Thang

63. Based on my training, experience, and knowledge of the investigation, I understand that Peelback asked TOREZ how much he would charge ("Hm") to replace



pieces of a switch (“u want for them pieces”). TOREZ replied that he would not sell switch pieces (“I can’t replace the pieces”), but that he expected to receive a shipment of six switches that are similar to a black switch he provided to a person called “E.” TOREZ insisted that he wanted only a piece (“We already got Ah switch we jus need that piece”). TOREZ again refused and explained that if he sold a switch piece (“if I sell da piece”) he would then be missing that piece (“Ian gone have one”), which would leave him with a useless partial switch (“it’s gone be useless”). Peelback then asked for the price of an entire switch (“Hm u want for the piece”), to which TOREZ replied \$500 (“500 You Gotta Get The Whole Thang”).

64. The conversation continued:

**Peelback:** You got that back piece

**Peelback:** Need it

**TOREZ:** Yup

**Peelback:** Igh she finna come get ts

**TOREZ:** Lmk when u os

**Peelback:** Pullin up

**Peelback:** Os

**TOREZ:** Bet

65. Based on my training, experience, and knowledge of the investigation, I understand Peelback decided he would purchase the switch for \$500 (“You got that back piece,” “Need it”). TOREZ affirmed he had it (“Yup”) and Peelback said he would send a female (“she”) to pick it up (“she finna come get”). TOREZ wanted Peelback to inform

him when she or he was outside (“Lmk when u os”). I believe this to mean outside COLUMBUS PREMISES in particular because this discussion occurred only a few days after their previous gun deal at COLUMBUS PREMISES, and TOREZ’s Facebook does not reveal that he provided a different meeting location. I infer that, from their immediately prior deal, Peelback knew to go to TOREZ’s residence, and did (“Pulling up,” “Os”).

**December 2022: TOREZ’s recent dealings at the COLUMBUS PREMISES**

66. Recent investigative material confirms TOREZ still resides at COLUMBUS PREMISES and deals with switches.

67. Since August 2018, investigators have been monitoring video surveillance of the exterior of COLUMBUS PREMISES. Within the past month, investigators have seen TOREZ coming and going from COLUMBUS PREMISES daily.

68. In addition, on December 12, 2022, TOREZ posted a video to his Instagram account, username “\_\_rp10kabbo,” depicting himself with a Glock handgun fitted with a switch.<sup>6</sup> Here is a screen capture of the video, which displays the Glock with switch (circled in red):

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<sup>6</sup> The account was identified as TOREZ’s based on photographs, videos, and username and display name. The overwhelming majority of photographs and videos posted to the account are of TOREZ. The username, “\_\_rp10kabbo,” and display name, “GramSlam Kabbo,” both incorporate TOREZ’s nickname, “Kabbo.” Additionally, the display name is identical to TOREZ’s Facebook username.



69. Based on TOREZ's prior messages arranging to sell guns at COLUMBUS PREMISES, his recent social media post of a switch, and the fact that he still lives at COLUMBUS PREMISES, I believe that TOREZ is engaged in a long-term conspiracy to deal switches and that his established location for doing so is COLUMBUS PREMISES.

**April 2022: Investigators learn about two men straw purchasing firearms in Grand Rapids, which leads to further evidence of switches from Benton Harbor**

70. Investigators in Grand Rapids developed evidence that, in April 2022, Armando VILLANUEVA and Nicholas HALLO obtained firearms through VILLANUEVA's girlfriend, HG. VILLANUEVA was a felon at the time, having been convicted in 2019 in a State of Michigan court for possessing ammunition as a convicted

felon. HALLO was a felon as well, having sustained a State of Michigan conviction in 2013 for home invasion.

71. On April 5, 2022, VILLANUEVA, HALLO, and HG went to the Silver Bullet FFL in Wyoming, MI. VILLANUEVA and HALLO entered the store without HG and spent time around the handgun case. They both then left the store and returned to the car where HG was waiting. Approximately five minutes later, HG exited the car, entered the store, and bought a Glock model 33 handgun (bearing serial #BVYA810) and a Glock model 30 handgun (bearing serial #BVVR067).<sup>7</sup> Below is a screen capture of surveillance video from the Silver Bullet FFL showing HALLO (left) and VILLANUEVA (right) at the handgun case:<sup>8</sup>

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<sup>7</sup> I am informed that these Glock pistols were manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before HG purchased them.

<sup>8</sup> I recognize VILLANUEVA and HALLO based on having reviewed multiple photographs of each, including State of Michigan identification photographs.






72. On July 14, 2022, VILLANUEVA was arrested for his alleged involvement in a shooting the prior week. Investigators obtained a federal search warrant (1:22-mj-409) to review VILLANUEVA's cellphone.

73. In reviewing VILLANUEVA's phone, investigators discovered a video that was saved to the phone on February 24, 2022. The video shows VILLANUEVA holding a Glock handgun with an affixed switch.<sup>9</sup> Investigators also found another video saved to the phone on that date, which showed VILLANUEVA shooting a Glock handgun with an affixed switch from a moving vehicle, in what appeared to be a residential area. In each case, investigators identified VILLANUEVA as the shooter based on his hand tattoo, as shown in the images below.

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<sup>9</sup> Dates related to VILLANUEVA's phone are based on metadata.

|   |   |  |
|---|---|--|
|    |    |                     |
| <p>Still frame of video of VILLANUEVA holding a Glock with an affixed switch, uploaded to VILLANUEVA's phone on 2/24/2022</p> | <p>Still frame of video of VILLANUEVA holding a Glock with an affixed switch, uploaded to VILLANUEVA's phone on 2/24/2022</p> | <p>Photograph that MDOC took of VILLANUEVA's hand in connection with a prior term of incarceration</p> |

#### **BOWMAN communicates with VILLANUEVA about switches**

74. While reviewing the contents of the phone seized from BOWMAN on March 8, 2022, in connection with the operation described above concerning the Seized Parcels, investigators found messages between BOWMAN and phone number (616) 706-7246 ("7246"), which was stored in BOWMAN's phone as "Mondo," in which the two appeared to discuss a transaction.<sup>10</sup>

<sup>10</sup> Investigators determined that 7246 was VILLANUEVA's phone because it was the number assigned to the phone that was seized from VILLANUEVA when he was arrested on July 14, 2022, as described above.

75. According to BOWMAN's phone, the following text exchange took place on February 26, 2022:

**VILLANUEVA:** Yea gang ima need a couple more set sum up for aye Nigga

**BOWMAN:** Bet

76. Based on my training, experience, and knowledge of the investigation, I understand this exchange to be about switches. This exchange occurred two days after videos of VILLANUEVA using a switch were added to his phone. In addition, as noted above in the description of TOREZ, BOWMAN, and the Seized Parcels, BOWMAN was receiving parcels of switches in Benton Harbor from China on TOREZ's behalf, and appears to have received such a parcel on February 24, 2022. VILLANUEVA took two videos of himself firing a Glock pistol with an affixed switch on the same day (February 24, 2022, discussed above). Based on the timing and text messages, I infer that VILLANUEVA approved of those switches and informed BOWMAN he would like more ("ima need a couple more"), in response to which BOWMAN agreed ("Bet").

#### **HALLO attempts to distribute firearm switches**

77. In February 2022, a confidential informant ("CI-1") told investigators that HALLO had invited CI-1 to buy switches that HALLO claimed were from Benton Harbor.<sup>11</sup> In late February 2022, HALLO sent a video via Snapchat to CI-1 depicting a

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<sup>11</sup> I have not worked directly with CI-1, but I conferred with investigators who have. I learned that CI-1 has been working with law enforcement for approximately three years, during which time CI-1's information has been corroborated in significant respects in connection with multiple investigations. Since CI-1 has been working as an informant,



Glock pistol with an affixed switch. Below is a screen capture of that video, which CI-1 shared with law enforcement:



78. Around that same time, HALLO sent two voice messages to CI-1 through Snapchat, in which HALLO provided further information about the switches he was offering to sell CI-1. Below is a transcription of a portion of the first voice message from February 28, 2022, which CI-1 shared with law enforcement:

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CI-1 has never been discovered to have lied to law enforcement, or provided information that was later discredited. The information that CI-1 has provided in prior cases has led to numerous successful search warrant executions involving the seizure of drugs, weapons, and other illegal items. CI-1 has worked for financial compensation, and has prior convictions for possession of marijuana (2017), reckless use of a firearm (2018), possession of a controlled substance (2019), and possession of a firearm in a vehicle (2022). CI-1 was also paid for the information and the operational activity related to HALLO. CI-1 has since been arrested for an unrelated domestic violence incident and has been deactivated. CI-1 was on State of Michigan probation at the time of the domestic violence incident. Other than violating the terms of the probation agreement by getting arrested, and according to the information available to me, CI-1 never otherwise violated an agreement with law enforcement.



**HALLO:** My mans calling him right now. Shit, to see how many he got. They come from, um, Benton Harbor. They, they drove out here from Benton Harbor. I met them the other day soon as they brought my mans his first couple ones.

79. Below is a transcription of a portion of a voice message that HALLO sent CI-1 on March 1, 2022:

**HALLO:** They come from Benton Harbor, though, so it's a drive for them, so, like, basically when the package get in, they going to call my boy, my boy gone call me, and then we gone go from there.

80. While reviewing BOWMAN's seized phone, investigators identified the following exchange on February 11, 2022, between BOWMAN and TOREZ:

**BOWMAN:** Aye Mexico said he need a pic or some of them mfs

**TOREZ:** Bet

**BOWMAN:** He said his man said if he know they legit he can get a couple of them gone

81. Based on my training, experience, knowledge of the investigation, and contacts found on BOMWAN's phone around this date between BOWMAN, TOREZ, and VILLANUEVA, I understand that BOWMAN was referring to VILLANUEVA as "Mexico." I further understand that VILLANUEVA had asked BOWMAN to provide a picture of the switches ("Mexico said he need a pic or some of them mfs") because, if the switches were "legit," then VILLANUEVA and "his man" could help distribute them ("get a couple of them gone"). Based on VILLANUEVA's relationship with HALLO and HALLO's messages around the same time, I believe "his man" was HALLO. I further believe that when HALLO said "they drove out here from Benton Harbor" in his

February 28 voice message, he was referring to BOWMAN and TOREZ, and that when HALLO referred to his “mans” and his “boy,” he meant VILLANUEVA.

82. HALLO never acquired the switches he was expecting to receive from BOWMAN and TOREZ because they were in the Seized Parcels. However, HALLO did conduct two separate illegal sales of firearms to CI-1:<sup>12</sup>

a. On March 29, 2022, HALLO met with CI-1 and an undercover officer (“UC”) at the Butterworth Party Store located at 944 Butterworth Street SW in Grand Rapids, MI. HALLO sold an Anderson Manufacturing, model AM-15, multi-caliber rifle bearing serial #16419385, in exchange for \$1,200.

b. On May 9, 2022, HALLO met with CI-1, who was under surveillance by federal agents, at the Family Dollar located at 2114 Division Ave S. in Grand Rapids, MI. HALLO sold a Glock, model 30, .45 caliber pistol bearing serial #BVVR067, in exchange for \$850. According to records at Silver Bullet FFL, this was one of the firearms that HG straw-purchased on April 5, 2022, after HALLO and VILLANUEVA were captured on surveillance footage.

**February 2022 – September 2022: Omarion BRANCH communicates with TOREZ via Facebook, and later drops a firearm during a shooting**

83. While reviewing TOREZ’s Facebook account, investigators identified a conversation between TOREZ and Omarion BRANCH. The following is a portion of their conversation that occurred on February 20, 2022:

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<sup>12</sup> I am informed that these firearms were manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before HALLO possessed them.

**BRANCH:** Yoo

**TOREZ:** Yo

**BRANCH:** Wtw pat told me you had the skorpion

**TOREZ:** *[sent a voice message that Facebook did not provide]*

**BRANCH:** Who finna trade a pipe not knowing if errything right with it 🤔👤  
🔪mf will replace the rounds it's the principle of knowing errything work properly

**BRANCH:** But shi fasho keep ts

**TOREZ:** Dat Mf Blow Pat Kno I Wouldn't Try To Give Em No Bs

**TOREZ:** Dat Mf Still Brand New Flawless Not A Scratch On it

**BRANCH:** Ight

\* \* \*

**TOREZ:** I'll give you a button for it

**BRANCH:** Idk wtf tha is 🤔

84. Based on my training, experience, and knowledge of the investigation, I understand the conversation was about a Scorpion model firearm, manufactured by CZ ("you had the skorpion"). BRANCH wanted to know if the firearm ("pipe") was functional and reliable ("Who finna trade a pipe not knowing if errything right with it"). TOREZ confirmed it was functional ("Dat Mf Blow") and that he would never trade a broken firearm ("I Wouldn't Try To Give Em No Bs"). At the end of the conversation, TOREZ offered to trade BRANCH a switch ("I'll give you a button"), and BRANCH replied that he did not know what ("wtf") a "button" is.

85. On February 28, 2022, BRANCH was convicted in a State of Michigan court with the crimes of assault with a dangerous weapon and carrying a concealed weapon, both of which are felony offenses.

86. Around the same time as his conversation with TOREZ and convictions, BRANCH became involved in a shooting feud. In a subsequent interview with police at the Berrien County jail (described below), BRANCH said his mother's house was shot at least twice around this time.

87. On March 13, 2022, BRANCH removed an electronic ankle monitor he was wearing as a term of probation from his February 2022 convictions and absconded. A State of Michigan arrest warrant was issued for BRANCH for violating his probation.

88. On May 22, 2022, BRANCH was shot near 115 Oden Street in Benton Harbor, after which his uncle drove him to the hospital. At the scene of the shooting, police found a Ruger, model P95, 9-millimeter pistol with an obliterated serial number. BRANCH left the hospital before he could be arrested on his open warrant.<sup>13</sup>

89. On September 23, 2022, BRANCH was found and arrested in Indianapolis, IN, and extradited to Michigan, where he was interviewed at the Berrien County jail. BRANCH waived his *Miranda* rights, and acknowledged that he had dropped the Ruger P95 pistol found at the scene of his shooting in May 2022. BRANCH said the pistol was originally purchased by his mother, after which, because BRANCH was charged with

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<sup>13</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before it was found in Benton Harbor in May 2022.

multiple felonies, he sold the firearm on the street. BRANCH said he reacquired the firearm to protect himself when he became the target of multiple shootings.

**June 2022: Demarcus GREELY is arrested with a switch-equipped Ghost Gun**

90. On June 12, 2022, police stopped a car in the 400 block of Donald Atkins Drive in Benton Harbor, MI for having a broken brake light and no license plate. Upon approaching the car, police noticed it had a temporary registration plate improperly displayed in the upper corner of the rear window. Four people were in the car. The driver provided a Michigan ID card rather than a driver's license. Police smelled intoxicants and confirmed that everyone in the car was under the age of twenty-one.

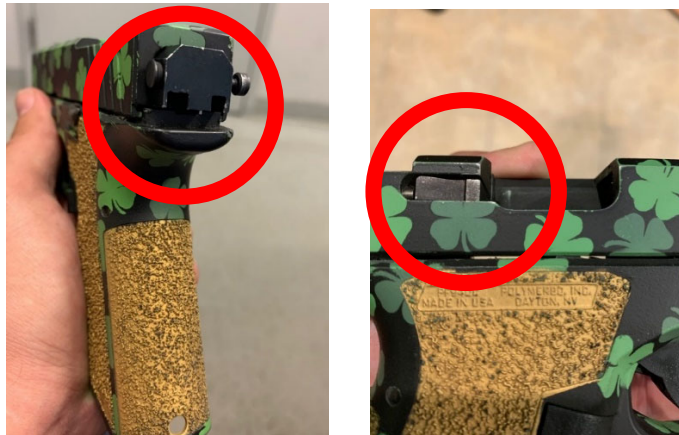
91. An officer recognized the front-seat passenger as Demarcus GREELY based on having encountered him during a prior traffic stop on April 10, 2022. During that stop, another passenger had been arrested for illegally possessing a firearm with an obliterated serial number as a convicted felon. Furthermore, based on his training and experience, the officer believed GREELY to be an associate of My Brother's Keeper, a Benton Harbor gang that had been involved in numerous shootings since 2019.

92. Police asked the driver to search the car for open containers of alcohol, and the driver consented. An officer asked GREELY to get out of the car. As he got out, GREELY adjusted something in his waistband, and the officer saw a bulge in GREELY's clothes. Based on his training and experience, the officer believed the bulge was a firearm and lifted GREELY's shirt, revealing a pistol grip sticking out above his waistband.

93. Another officer walked over to help place GREELY in custody and retrieve the pistol from GREELY's waistband. The pistol was a Polymer P80 "ghost gun,"

unregistered and with no serial number, which had a clover pattern and gold grip (the “Clover Gun”). Based on my training and experience, I understand that Polymer P80 “ghost guns” are manufactured by Polymer80, are sold whole or in kits, and that the gun and its component parts are not stamped with serial numbers.

94. The pistol had an automatic switch affixed to the back of the slide where the armorer’s plate would normally go. Below are photographs of the Clover Gun, with the switch parts circled in red:



95. Based on this incident, GREELY was charged with possession of a machinegun, in violation of 18 U.S.C. § 922(o), in the United States District Court for the Western District of Michigan (1:22-cr-137-JTN).

**GREELY arranges to buy the Clover Gun from TOREZ via Facebook**

96. GREELY’s Facebook account contains exchanges with TOREZ in which GREELY arranges to buy from the Clover Gun from him. On March 18, 2022, the following communications occurred:

**TOREZ:** Yooo

**GREELY:** Yoo

**TOREZ:** You got \$750?

**GREELY:** What Is It?

97. TOREZ then shared a video chat, followed by these further messages:

**GREELY:** Give Me A Minute On Beezy I'm Finna Get It

**TOREZ:** Bet hmu

98. GREELY's Facebook account also shows that on March 19, 2022, he participated in these communications with Facebook username "LongLive DaGuyz":

**GREELY:** Tell His Ass Scoop Me When You Get Wit Em So I Can Go Buy Dis Pipe

**LongLive DaGuyz:** Bet imma lyk when he scoop me who u finna grab some from

**GREELY:** Bet & Kabbage

**LongLive DaGuyz:** 4 leaf clovers

**LongLive DaGuyz:** With the 30 nd drum?

**GREELY:** Yop

**LongLive DaGuyz:** I want u to get it I'm gettin g lock out da store wat he chargin u tho

**GREELY:** 750

99. Based on my training and experience, I understand that "pipe" is slang for firearm. I note that GREELY stated he will obtain a "pipe" from "Kabbage," which, as noted earlier, is a known nickname for TOREZ, and also appears in TOREZ's Facebook username: "fastwayy.kabbage.5." GREELY stated he would be charged "750," which is the amount of money TOREZ said he would charge GREELY on March 18. GREELY

confirmed (“Yop”) that he was buying a gun with “4 leaf clovers,” which describes the Clover Gun, which GREELY was arrested with on June 12, 2022, shown again below:



100. Based on my training, experience, knowledge of this investigation, and the messages quoted above, TOREZ sold GREELY the clover gun.

**July 27, 2022: police conduct a traffic stop on a vehicle with multiple convicted felons (Jayvon ANTHONY and Timothy THOMAS), multiple firearms, and switches**

101. On July 27, 2022, police were driving behind a car in Benton Harbor when the person sitting in its rear passenger-side seat tossed a black handgun out the window. Police found the discarded firearm: a Glock, model 23, .40 caliber handgun bearing serial #XCR256.<sup>14</sup> The pistol was reported stolen in 2018, and was fitted with a firearm switch (black in color).

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<sup>14</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before it was found in Benton Harbor in July 2022.



102. Police stopped the car and arrested Jayvon ANTHONY, who was sitting in the rear passenger-side seat. Police then searched the car and found two magazines containing a total of 45 rounds of 9-millimeter ammunition. Through questioning and a review of identification cards, police identified the driver as Demetrius SEUELL, the front passenger as Timothy THOMAS, and remaining passenger as JB.<sup>15</sup> Police detained ANTHONY and JB, and released SEUELL and THOMAS.

103. At the time of the traffic stop, ANTHONY and THOMAS had each been convicted of felony offenses. ANTHONY was convicted in March 2021, in a State of Michigan court, with the crime of attempted assault with a dangerous weapon. THOMAS was convicted in 2014, in a State of Michigan court, with the crime of Home Invasion – 2nd Degree.

104. Police suspected that the car's occupants may have discarded additional firearms before the traffic stop, so they searched the car's path of travel and found three additional firearms. On the north side of the road, consistent with being thrown from the driver's side of the car, they found two Glock pistols: a model 23, .40 caliber pistol bearing serial #DVH090US, and a model 45, 9-millimeter pistol bearing serial #BXCN099.<sup>16</sup> The model 23 was reported stolen in 2007, and was affixed with a switch (red in color).

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<sup>15</sup> JB, who was 17 years old at the time of this traffic stop, was later charged by the Berrien County Prosecutor's Office with shooting and killing Marlon Bowman on May 30, 2022.

<sup>16</sup> I am informed that these firearms were manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before it was found in Benton Harbor in July 2022.

105. Police found an additional firearm, a Smith and Wesson .22 caliber pistol bearing serial #HJK0622, on the south side of the roadway, consistent with being thrown from the car's passenger side.<sup>17</sup> The Smith and Wesson pistol was reported stolen in 2022.

106. Shortly after finding the three firearms, police saw THOMAS walking near the area of the traffic stop. He was wearing a black backpack that he was not wearing when police released him from the scene.

107. Police arrested THOMAS and found 32 rounds of .22 caliber ammunition in his front pants pocket.

108. Police read THOMAS his *Miranda* warnings, and he agreed to talk. He said the rear passengers (JB and ANTHONY) had stolen firearms in the recent past, and that the stolen firearms were in the car because JB's cousin had recently been shot. When asked if the firearms were for intended retaliation, THOMAS nodded his head up and down. THOMAS then began damaging his cell phone by hitting it against the police vehicle.

#### **SEUELL and ANTHONY Facebook content regarding switches**

109. On July 13, 2022, according to SEUELL's "BigOpp Gloxky" Facebook account,<sup>18</sup> SEUELL sent a photograph of himself and JB, each holding a firearm, to the

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<sup>17</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before it was found in Benton Harbor in July 2022.

<sup>18</sup> This Continuation cites two Facebook accounts of SEUELL's. Accordingly, for clarity, descriptions of information from SEUELL's Facebook account specify which account it came from.

Facebook username "Head Cracker." In the photograph, SEUELL is holding what appears to be the Glock model 23 with a red switch that was recovered during the traffic stop on July 27, 2022. JB appears to be holding the Glock model 45 that was recovered during the stop:



*SEUELL holding apparent Glock 23 and JB holding apparent Glock 45<sup>19</sup>*

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<sup>19</sup> This image has been redacted to obscure JB's face.



*SEUELL's driver's license photo*



*Recovered Glock 23 with red switch*

110. Also according to SEUELL's "BigOpp Gloxky" Facebook account, SEUELL communicated with TOREZ about firearms and switches around the time of the July 27, 2022 traffic stop. Specifically, on the evening of July 23, 2022, SEUELL and TOREZ had this exchange:

**SEUELL:** You still at the crib?

**TOREZ:** Yea

**SEUELL:** Bet

**TOREZ:** Bitch

**SEUELL:** Coming up May

**SEUELL:** Outside

111. Their conversation continued in the early morning hours of July 24:

**TOREZ:** Wyo \*\*

**SEUELL:** Shitt tryna find the rest of my weed you gave me

**SEUELL:** Outside yo shitt rn making sure them straps still there

**TOREZ:** They still out der?

**SEUELL:** Hy you want emm or want me to take emm?

**TOREZ (voice message):** You can take them

112. Based on my training, experience, and knowledge of the investigation, I understand that in the initial part of the conversation, SEUELL asked TOREZ if he was at COLUMBUS PREMISES (“You still at the crib?”) and TOREZ affirmed (“Yea”). Later, SEUELL said he was looking around outside COLUMBUS PREMISES (“Outside yo shitt [your house] rn [right now]”) to confirm firearms were still hidden there (“making sure them straps still there”). TOREZ asked if they were still there (“They still out der?”) and SEUELL affirmed (“Hy” [hell yes]).

113. In the evening of July 24, SEUELL and TOREZ continued:

**TOREZ:** Bring dem sitchos too so I can swap ‘em

**SEUELL:** She said she didn’t know you still wanted it you can get him tomorrow she gotta wash him & Trim his hair she said

**TOREZ:** Bet nd u seen that^^?

**SEUELL:** Bet

114. Based on my training, experience, and knowledge of the investigation, I understand that TOREZ asked SEUELL to deliver him switches (“sitchos”). In response, SEUELL commented on a separate topic, after which TOREZ redirected him to his pending request for switches (“u seen that^^”). SEUELL then confirmed that he saw the request and would comply (“Bet”).

115. The conversation continued:

**SEUELL:** finna drop them off you at the crib?

**TOREZ (voice message):** Aye man come, um, come to Sakari house and bring that. I, I, I brung that over here.

**SEUELL:** Bet

116. Based on my training, experience, and knowledge of the investigation, I understand that SEUELL said he was preparing to drop the switches off and wanted to confirm TOREZ was at COLUMBUS PREMISES (“finna drop them off you at the crib?”). In his voice message response, TOREZ told SEUELL to bring the switches to the house of another person, Sakari (“come to Sakari house and bring that”).

117. An hour later, the conversation continued with TOREZ directing SEUELL back to COLUMBUS PREMISES:

**TOREZ:** Bitch

**TOREZ:** You playin

**TOREZ:** Come to my Shi I just left

**SEUELL:** Bet

**SEUELL:** Outside

118. Based on my training, experience, and knowledge of the investigation, I understand that TOREZ complained to SEUELL because he had not yet brought the switches to Sakari’s house as requested. TOREZ told him to bring the switches instead to COLUMBUS PREMISES because he had left Sakari’s house (“Come to my Shi [house] I just left”). SEUELL confirmed and told TOREZ he was at COLUMBUS PREMISES with the switches (“Bet,” “Outside”).

119. According to ANTHONY’s Facebook:

a. on January 29, 2022, in a group Facebook conversation, ANTHONY circulated a video of himself holding a Glock handgun with an affixed switch (black in color). A screenshot is included below. Approximately three minutes later, ANTHONY sent a message to the group: “Y’all like my video.”

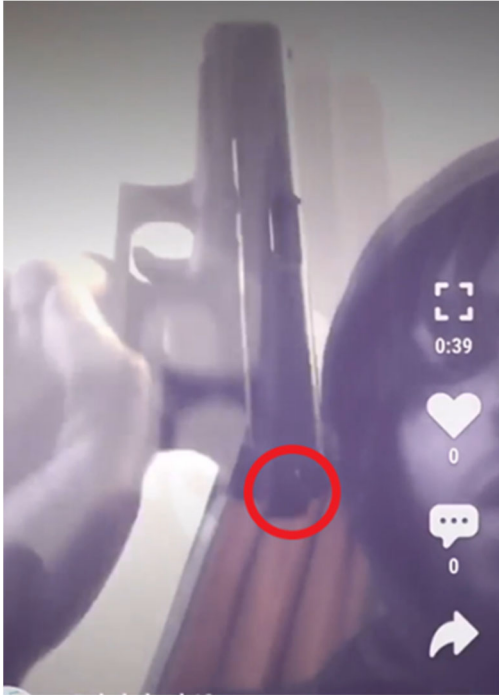
b. On May 20, 2022, ANTHONY was a member of a group Facebook conversation in which another participant, Facebook username “Levi Kidd,” sent an image of ANTHONY sitting in a stairwell above two pistols, one of which appears to be the same Glock model 23 handgun with an affixed red switch that police seized during the traffic stop on July 27, 2022.<sup>20</sup>

120. Below is a video screenshot and the image referenced in the preceding paragraph:

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<sup>20</sup> In both the image and video described, ANTHONY’s face is visible. Having reviewed multiple images of ANTHONY, including the recent booking photograph, I confirmed he was the person depicted in both the video and image.





Screenshot of ANTHONY with Glock handgun with an affixed switch (black)



Image of ANTHONY with Glock model 23 handgun with an affixed switch (red)

121. According to ANTHONY's Facebook, on March 16, 2022, he had a conversation with Facebook username "Aaliyah Baae." Below is a portion of that conversation:

**Aaliyah Baae:** Ho you ain't call back

**ANTHONY:** I was still otp we tryna put this switch on the Glock

**Aaliyah Baae:** Oh

122. Based on my training, experience, and knowledge of the investigation, I understand from these messages that Aaliyah Baae wanted to know why ANTHONY had not called her ("you ain't call back"). ANTHONY responded that he was still on the

phone (“otp”) and said that he and another person were installing a switch on a Glock handgun (“we tryna put this switch on the Glock”).

123. While reviewing TOREZ’s Facebook account, investigators identified a group conversation regarding a shooting incident involving SEUELL and ANTHONY.

Below is a portion of that conversation from May 22, 2022:

**SEUELL:** mann Jayvo don’t be playing I can honestly say if he got it he doing that 🤔

**Philip Testa:** Man stfu

**TYworld Scubai:** Jayvo a bitch

**TYworld Scubai:** He gone shoot for gang tho I heard bout em 🤔 that’s why he always talm bout pass me the blick that lil bitch don’t be playing

**SEUELL:** Mannnn hn because when I seen them out the window I’m like we dead ash, Jayvo start clapping out of nowhere 🤔👏

**TYworld Scubai:** Gawddddd he came thru like that I know U would of got busy too tho If u had it

**SEUELL:** Hy I was grabbing the strap from jb but they was already coming through out the window after they came through & peeped us, but it was to late Jayvo & Aaliyah start blowing then me & JB jumped behind the car & JB start blowing

124. Based on my training, experience, and knowledge of the investigation, I understand this conversation to be about a gang-related shootout in which SEUELL, ANTHONY, and JB participated. SEUELL said that if ANTHONY has a gun, he is not afraid to shoot (“if he got it he doing that”). TYworld Scubai agrees that ANTHONY will shoot on behalf of his gang (“He gone shoot for gang”) and recalls ANTHONY always wanting to hold a firearm because he will use it (“he always talm [talking] bout pass me

the blick [firearm] that lil bitch don't be playing"). SEUELL finishes with a play-by-play account of the shootout in which they were initially caught off-guard by rival gang members, but then ANTHONY ("Jayvo"), Aaliyah, and JB all returned fire ("start blowing").

**July 2022: Police investigate Earl AUSTIN IV and Evorion ANDERSON**

125. In July 2022, the Michigan State Police ("MSP") Southwest Enforcement Team ("SWET") initiated a drug-trafficking investigation into Earl AUSTIN IV.

126. In 2021, AUSTIN was convicted in a State of Michigan court with the crimes of delivery of a controlled substance and carrying a concealed weapon, both of which are felony offenses

127. SWET conducted a series of controlled purchases of various controlled substances from AUSTIN, including methamphetamine, Oxycodone, and fentanyl. Each time, undercover investigators contacted AUSTIN at telephone number (269) 369-1738 ("1738") to arrange the deal.<sup>21</sup>

128. During the first controlled purchase on July 20, 2022, a SWET undercover officer ("UC") contacted AUSTIN at 1738 and negotiated a deal for methamphetamine. AUSTIN directed the UC to meet at a location in the 1000 block of Highland Avenue in Benton Harbor (the "Highland Block"). When the UC arrived, Evorion ANDERSON

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<sup>21</sup> In a subpoena response, T-Mobile identified the subscriber for 1738 as "Earl Austie." AUSTIN also told his probation officer that 1738 is his phone number.

delivered the UC approximately 14.8 grams of a substance in exchange for \$200.<sup>22</sup> The substance was tested by the Berrien County forensic lab and came back positive for the presence of methamphetamine.

129. During a controlled purchase on August 2, 2022, a SWET UC contacted AUSTIN at 1738 and negotiated a deal for crystal methamphetamine. The UC met with ANDERSON in the Highland Block, and ANDERSON provided approximately 17.5 grams of a substance in exchange for \$200. The substance was tested by the Berrien County forensic lab and came back positive for the presence of methamphetamine and sucrose.

**August 2022: AUSTIN sells a switch**

130. During a controlled purchase on August 11, 2022, AUSTIN told a SWET UC that he could sell the UC a switch, and showed the UC a video on his cell phone depicting switches on a table.

131. On August 17, 2022, the UC met with AUSTIN in the Highland Block, and AUSTIN gave the UC a switch in exchange for \$500. AUSTIN explained how to affix the switch to a Glock handgun. The switch, which was made of three pieces and is pictured below, appeared to be made from a polymer material of the type used in 3D-printers:

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<sup>22</sup> After the controlled purchase, the UC identified the delivery person as ANDERSON upon reviewing his photograph on file with the Michigan Secretary of State.



132. Investigators attempted to affix the switch to a Glock Model 19 pistol, but in the process broke the part of the switch that fits into the rear slide of the firearm. The UC later told AUSTIN that he broke the piece while trying to attach it. AUSTIN agreed to replace it the next time they met.

#### **Switch replacement piece and 4-ounce methamphetamine deal**

133. On August 31, 2022, the UC met AUSTIN to obtain the replacement piece for his switch and buy approximately four ounces of methamphetamine. The UC picked up AUSTIN and drove to the Highland Block. AUSTIN told the UC he would be receiving the four ounces of methamphetamine from someone inside the Blossom Acres housing project ("Blossom Acres"). But before he left to get the methamphetamine, AUSTIN determined that he did not have the correct replacement piece for the broken switch and

called (269) 861-3311 ("3311").<sup>23</sup> During the call, the UC overheard AUSTIN speaking with the other party and discussing where to meet. AUSTIN told the UC that the person he called would meet AUSTIN to provide the replacement switch piece.

134. Immediately after the call, AUSTIN called (269) 486-8370 ("8370"), in the UC's presence, and said on the phone that he had to take care of something but would return in 20 minutes. The UC then drove AUSTIN to 2088 East Empire Avenue, Lot 135, where the UC watched AUSTIN meet ANDERSON.<sup>24</sup> After meeting with ANDERSON, AUSTIN returned to the UC's vehicle and gave him the replacement switch part.

135. AUSTIN told the UC to return to Blossom Acres so AUSTIN could get the methamphetamine. The UC dropped AUSTIN off. As AUSTIN walked away, the UC saw him talking on his phone, which the pen register indicated was a short call to 8370. The UC lost sight of AUSTIN as he walked southeast near the intersection of Blossom Lane and Concord Avenue. A short time later, AUSTIN returned on foot to the UC's vehicle

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<sup>23</sup> Investigators knew that AUSTIN called 3311 because they had a court-authorized pen register on his phone number, 1738. (That is also how investigators know the other numbers AUSTIN called as described in this Continuation.) Relatedly, shortly before August 31, the Berrien County Probation Office received an anonymous tip that 3311 was being used by ANDERSON.

<sup>24</sup> The UC observed and recorded ANDERSON during his exchange with AUSTIN. The UC then researched the Law Enforcement Information Network ("LEIN") for individuals associated with 2088 East Empire, Lot 135, and noticed ANDERSON was currently on probation and listed that address as his residence. Upon reviewing ANDERSON's photograph from the Michigan Secretary of State, the UC confirmed it was ANDERSON who met with AUSTIN.

and gave him four ounces of a substance in exchange for \$1,260. The substance was field tested and returned a positive result for the presence of methamphetamine.

**Facebook communication between ANDERSON and TOREZ**

136. While reviewing TOREZ's Facebook account, investigators identified a conversation with ANDERSON regarding switches. Below is a portion of a Facebook conversation on January 13, 2022:

**TOREZ:** OnTy my cousin got light switches Fa 500

**TOREZ:** It's time

**ANDERSON:** Wtw n bro show building me a wall ima have to get a light switch

137. Based on my training, experience, and knowledge of the investigation, I understand from these messages that TOREZ told ANDERSON he could provide a switch ("light switch") for \$500 ("500"). ANDERSON went along with TOREZ's coded language by telling TOREZ that someone would be providing him a firearm ("bro show building me a wall") onto which he would like to affix a switch ("ima have to get a light switch").

**Facebook Communication between ANDERSON and AUSTIN**

138. While reviewing ANDERSON's Facebook account, investigators identified a lengthy conversation between ANDERSON and AUSTIN in which they discussed firearms, switches, and TOREZ. Below is a portion of a conversation on April 13, 2022:

**ANDERSON:** Ight how much for the g2 since I can't trade

**ANDERSON:** I got 400

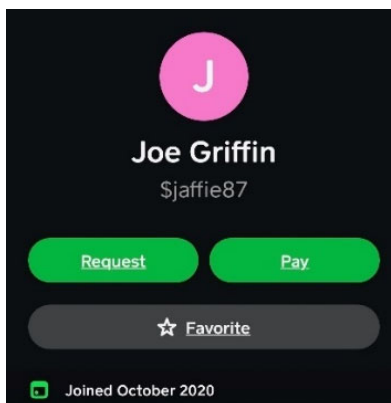


**AUSTIN:** Lol u sound like kabbage Rn 🤔🤔

139. Based on my training, experience, and knowledge of the investigation, I understand from these messages that ANDERSON asked AUSTIN how much he would charge ANDERSON for a Taurus G2 handgun (“how much for the g2”). ANDERSON offered \$400 (“400”). AUSTIN laughed that, by making such a low offer, ANDERSON sounded like TOREZ (“Lol u sound like kabbage”).

**Police identify Joe GRIFFIN as the user of 8370**

140. After police identified 8370 as a likely source of methamphetamine that AUSTIN provided the UC, investigators issued a subpoena to Verizon Wireless for subscriber information. The response from Verizon indicated that 8370 was a prepaid Tracfone with no listed subscriber. Investigators also researched the MDOC inmate calling system and identified a phone call between an inmate and 8370 on August 26, 2022. During the call, the male user of 8370 provided his CashApp account name, “Jaffie87.” Investigators researched CashApp for that username and located an account registered to Joe GRIFFIN. Below is an image depicting the “Jaffie87” CashApp account:



141. A confidential informant (“CI-2”) provided the following information: (a) GRIFFIN traffics methamphetamine and crack cocaine from either the second<sup>25</sup> or third house south of Blossom Lane on the west side of Concord Avenue in Benton Harbor, MI; (b) GRIFFIN uses a gray Volkswagen Minivan, frequently parked at his drug house, to distribute drugs; (c) GRIFFIN works with Earl AUSTIN, Evorion ANDERSON, and JT’s father to distribute drugs; and (d) GRIFFIN keeps a firearm at his drug house to protect himself and his drug supply.<sup>26</sup>

142. Investigators have corroborated parts of CI-2’s statements. On multiple occasions, investigators have purchased methamphetamine from AUSTIN in a manner that involved 150 Concord Avenue (the “CONCORD PREMISES”), as detailed below. Investigators have consistently observed a gray 2010 Volkswagen Routan bearing Michigan license plate EJV1649 parked in front of the CONCORD PREMISES, and have seen GRIFFIN drive the Routan. Phone calls between GRIFFIN and AUSTIN during

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<sup>25</sup> 150 Concord Avenue, identified further below as GRIFFIN’s drug distribution center, is the second house.

<sup>26</sup> I have not worked directly with CI-2, but I conferred with investigators who have. I learned that CI-2 has been working with law enforcement for approximately three years, during which time CI-2’s information has been corroborated in significant respects in connection with multiple investigations. From all I learned, since CI-2 has been working as an informant, CI-2 has never lied to law enforcement or provided information that was later discredited. Information from CI-2 has led to numerous successful search warrant executions resulting in the seizure of drugs, weapons, and other illegal items. CI-2 has also provided information on multiple shootings, which aided in the successful prosecution of people involved. CI-2 has worked for financial compensation and has prior convictions for home invasion (2013) and resisting police (2019). CI-2 was also paid for the information provided regarding GRIFFIN.

controlled methamphetamine purchases and surveillance activity, detailed below, further confirm the drug distribution relationship between AUSTIN and GRIFFIN.

**AUSTIN sells two switches and one ounce of methamphetamine to the UC from the HIGHLAND PREMISES and the CONCORD PREMISES, respectively**

143. On September 28, 2022, the UC called AUSTIN and requested to meet. The UC saw AUSTIN leave 1082 Highland Avenue (the “HIGHLAND PREMISES”) and walk to meet him.<sup>27</sup> The UC told AUSTIN he would like two switches. AUSTIN told the UC he would have to check with his associate, after which AUSTIN walked back to the HIGHLAND PREMISES. A short time later, AUSTIN left the HIGHLAND PREMISES and walked back to the UC’s vehicle. AUSTIN sold the UC two switches in exchange for \$400 and a promise for further payment in the future.

144. The UC then asked AUSTIN for an ounce of methamphetamine. AUSTIN said he would have to go get it, and walked into the CONCORD PREMISES.<sup>28</sup> While

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<sup>27</sup> CI-2 provided the following information about the HIGHLAND PREMISES: JT lives at the HIGHLAND PREMISES with his mother. JT’s father frequents the HIGHLAND PREMISES and sometimes conducts drug transactions there. JT frequently stores firearms at the HIGHLAND PREMISES and also carries firearms away from the HIGHLAND PREMISES. Other people have also recently stored firearms at the HIGHLAND PREMISES. CI-2 did not identify the HIGHLAND PREMISES by its numerical address, but rather described the general location, occupants, and activity therein.

<sup>28</sup> Investigators believe the CONCORD PREMISES is GRIFFIN’s drug distribution center based on information from CI-2 (described above) and an anonymous source (described below), as well as a pattern of dealing described herein during controlled transactions, in which AUSTIN would call GRIFFIN and then visit the CONCORD PREMISES before selling drugs. Additionally, two separate search warrants (1:22-mj-444 and 1:22-mj-478) were issued in the Western District of Michigan by U.S. Magistrate Judges Phillip J. Green and Sally J. Berens, respectively. The warrants sought historical and prospective phone location information for “8370” and “1428”—the two phones AUSTIN called in

AUSTIN was inside, an unknown male approached the UC's vehicle and requested empty soda cans. The UC gave the male some spare change and the male began walking away. However, a different young male, later identified as JT, walked toward the unknown male from the vicinity of the HIGHLAND PREMISES and confronted him.<sup>29</sup> JT produced a semi-automatic handgun with an extended magazine, pointed it at the unknown male's head, and struck the unknown male in the head with the firearm. The unknown male walked away.

145. After this, JT walked back to the entryway of the HIGHLAND PREMISES and lingered there. A short time later, AUSTIN left the CONCORD PREMISES, walked back to the UC's vehicle, and sold the UC a substance for \$320. AUSTIN then walked away from the UC's vehicle back to the HIGHLAND PREMISES where he stopped to speak with JT. The substance was tested by the Berrien County forensic lab and came back positive for the presence of methamphetamine.

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connection with obtaining drugs for the UC that were later tied to GRIFFIN, as described herein. The location information showed that GRIFFIN was frequently at or near CONCORD PREMISES, including during the controlled purchase on September 28 between 4:03 and 4:14 p.m., during which time AUSTIN picked up one ounce of methamphetamine from the CONCORD PREMISES.

<sup>29</sup> The UC reviewed the Law Enforcement Investigation Network ("LEIN") and identified JT as a person associated with 1082 HIGHLAND PREMISES. The UC then reviewed JT's Michigan Secretary of State photograph and confirmed it was the same person he observed brandish the weapon and return to HIGHLAND PREMISES. JT was also on GPS tether with Berrien County due to a pending charge for carrying a concealed weapon. The address he provided the Berrien County tether unit was HIGHLAND PREMISES and his GPS tether location information placed him in the area of HIGHLAND PREMISES during the altercation.

**Information from an anonymous source regarding GRIFFIN**

146. On October 12, 2022, an anonymous source (“AS-1”) contacted SWET investigators and provided this information: (a) GRIFFIN lives with his girlfriend, RA, at the CONCORD PREMISES, where GRIFFIN stores and distributes large quantities of various drugs including methamphetamine, crack cocaine, and heroin. (b) GRIFFIN coordinates drug sales not only at the CONCORD PREMISES, but also on the Highland Block near the intersection of Highland Avenue and Burton Street. (c) GRIFFIN also stores firearms, including long guns, at the CONCORD PREMISES. (d) GRIFFIN uses 8370 to communicate with his drug associates, including DR, also known as “Spawn,” who lives with his girlfriend at a separate residence on Blossom Lane. (e) GRIFFIN uses a green Volkswagen minivan to store and distribute drugs, which is typically parked in front of the CONCORD PREMISES.

**AUSTIN, GRIFFIN, and RA deliver four ounces of methamphetamine**

147. The UC and AUSTIN negotiated a deal for an AK-47 style pistol. On November 10, 2022, the UC called AUSTIN and requested to meet. AUSTIN instructed the UC to meet with him in the area of 1210 Union Avenue in Benton Harbor, where he provided the UC a Zastava PAP M85 5.56 caliber pistol, serial #05884, for \$1,600.<sup>30</sup>

148. The UC then requested four ounces of methamphetamine. AUSTIN instructed the UC to drive around for a short time and said he would get the

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<sup>30</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before being sold in Benton Harbor in November 2022.

methamphetamine. Shortly after the UC departed, AUSTIN had multiple calls with (269) 235-1428 ("1428"). Shortly after placing a call to 1428, investigators conducting physical surveillance observed RA leave the CONCORD PREMISES as a passenger in a gray Chrysler. The Chrysler arrived at 1210 Union Avenue a short time later, and AUSTIN briefly conferred with RA through the passenger window. Shortly after that exchange, AUSTIN communicated to the UC that he could come purchase the methamphetamine, which the UC did. RA was driven directly back to the CONCORD PREMISES. Between the time the UC communicated his desire to purchase methamphetamine and the time the UC received the methamphetamine, AUSTIN communicated by phone with only two phone numbers: the UC's and 1428.<sup>31</sup>

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<sup>31</sup> Investigators monitoring GRIFFIN's call records on 8370 noticed that he stopped placing or answering calls using that number on October 30, 2022. Because of this, investigators monitored AUSTIN's call records during the controlled purchase on November 10, 2022, with an eye toward identifying GRIFFIN's new number. Based on the sequence of events during that controlled purchase, investigators suspected 1428 was GRIFFIN's new number and issued a subpoena for activation and subscriber information. The response confirmed their suspicion: 1428, a prepaid TracFone just like 8370, was activated on October 26, just four days before GRIFFIN discontinued use of 8370. Finally, investigators conducting physical and video surveillance have observed GRIFFIN's location correspond to the real-time location information associated with 1428, which investigators obtained by federal warrant as described above.

### **DR distributes methamphetamine to SWET**

149. As stated above, AS-1 told investigators that one of GRIFFIN's drug trafficking associates was DR. In November 2022, SWET investigators began working with a confidential informant ("CI-3") who offered to assist them in conducting controlled purchases from DR, known to CI-3 as "Spawn."<sup>32</sup>

150. On November 17, 2022, CI-3 called DR at (269) 369-1511 ("1511") in the presence of SWET investigators and requested to purchase methamphetamine.<sup>33</sup> DR instructed CI-3 to meet him at R and H Brothers store at the corner of Burton Street and Highland Avenue in Benton Harbor. A SWET UC drove CI-3 to that location, and CI-3 informed DR they were there. A short time later, DR drove GRIFFIN's Volkswagen Routan into the parking lot, got out, and walked to the passenger-side window of the UC's vehicle to meet with CI-3. DR gave CI-3 a bag of a substance in exchange for \$100.<sup>34</sup>

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<sup>32</sup> I have not worked directly with CI-3, but I conferred with investigators who have. I learned that CI-3 has been working with law enforcement for approximately one month, during which time CI-3's information has been corroborated through physical surveillance, investigative research, and controlled purchases. Since CI-3 has been working as an informant, CI-3 has never been discovered to have lied to law enforcement, or provided information that was later discredited. The information and assistance that CI-3 has provided has led to four successful controlled purchases from DR. CI-3 has worked for consideration on pending charges and financial compensation, and has prior convictions for theft (2010), forgery (2010), damage to property (2015), resisting police (2017), controlled substance use (2020), and disturbing the peace (2021).

<sup>33</sup> Investigators issued a subpoena for subscriber information for 1511. The response identified 1511's subscriber as DR. In addition, 1511 is one of the numbers that GRIFFIN has called the most frequently using 8370 and 1428.

<sup>34</sup> During the exchange, the UC observed DR's face and confirmed it was him based on a prior review of DR's photograph on file with the Michigan Secretary of State.



DR then departed and drove the Routan to the CONCORD PREMISES. The substance was field tested and returned a positive result for the presence of methamphetamine.

151. On November 29, 2022, the UC and CI-3 conducted another controlled purchase of methamphetamine from DR. CI-3 called DR at 1511 and requested methamphetamine. DR instructed CI-3 to go to R and H Brothers, which CI-3 and the UC did. CI-3 notified DR they were at the location, and shortly thereafter DR arrived in GRIFFIN's Volkswagen Routan. CI-3 met with DR in the driver's seat and exchanged \$100 for a bag of a substance (which, according to a field test, yielded a positive result for methamphetamine), which CI-3 brought back to the UC's vehicle. DR then drove directly to the CONCORD PREMISES.

**AUSTIN sells the UC a stolen Springfield Hellcat pistol**

152. The UC communicated with AUSTIN at 1738 to arrange to purchase a Springfield Hellcat 9-millimeter pistol. On December 2, 2022, location information for 1738 indicated that AUSTIN was in the area of the HIGHLAND PREMISES.<sup>35</sup> Based on that, investigators established physical surveillance in that area. AUSTIN instructed the UC to meet him at 1210 Union Avenue in Benton Harbor, which is the same location where AUSTIN previously provided the UC the Zastava PAP M85 5.56 caliber pistol.

153. Shortly after those instructions, investigators saw a white Acura MDX arrive at the HIGHLAND PREMISES. Agents saw AUSTIN walk away from the front

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<sup>35</sup> Two separate search warrants (1:22-mj-456 and 1:22-mj-494) were issued in the Western District of Michigan by U.S. Magistrate Judges Sally J. Berens and Phillip J. Green, respectively. The warrants sought historical and prospective phone location information for 1738.

door of the HIGHLAND PREMISES, get in the front passenger seat, and travel westbound on Highland Avenue. The MDX made a four-minute stop at the Phillips 66 gas station located at 1117 Pipestone Road, where AUSTIN put gas in the vehicle. The MDX departed the gas station and traveled directly to 1210 Union Avenue, where AUSTIN got out of the front passenger seat and got into the UC's vehicle.

154. AUSTIN removed a brown paper bag from his front sweatshirt pocket and provided it to the UC in exchange for \$1,000. In the bag was a Springfield Hellcat 9-millimeter pistol, bearing serial #BY398467, which was reported stolen to the Benton Township Police Department in October 2021.<sup>36</sup> Based on my training, experience, and knowledge of the investigation, I believe AUSTIN had the pistol at the HIGHLAND PREMISES before receiving a ride to sell the pistol to the UC.

#### **GRIFFIN associates with TAYLOR PREMISES**

155. In late November 2022, investigators monitoring the real-time location of GRIFFIN's phone, 1428, noticed that the phone began frequenting the area of 2000 Taylor Street (the "TAYLOR PREMISES"). In early December 2022, CI-2 provided the following information: GRIFFIN had recently been frequenting the residence of KA, the mother of some of GRIFFIN's children. KA, who was recently released from prison, had recently moved into the house at the corner of Taylor Street and Edson Avenue (this describes the TAYLOR PREMISES). KA drove a Chrysler Pacifica, which was typically parked in the

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<sup>36</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before being sold in Benton Harbor in December 2022.

driveway of her residence. GRIFFIN's Volkswagen Routan was also sometimes parked at this location. Before KA's recent incarceration, GRIFFIN also frequented her past residences and stored drugs there.

156. Investigators began conducting drive-by surveillance of the TAYLOR PREMISES and saw a 2020 Chrysler Pacifica, registered to KA, consistently parked there. Investigators also saw GRIFFIN's Volkswagen Routan parked there. On December 6, 2022, investigators installed video surveillance to observe the activity in the exterior area of TAYLOR PREMISES.

157. On December 6, at approximately 7:11 p.m., GRIFFIN, using 1428, received an incoming call from (269) 285-9104 ("9104"). Approximately two minutes later, a dark sedan pulled in front of the TAYLOR PREMISES and no one exited the vehicle. Approximately two minutes after that, the Pacifica pulled into the driveway at the TAYLOR PREMISES and GRIFFIN and a female, likely KA, exited and went inside TAYLOR PREMISES. Shortly thereafter, GRIFFIN exited TAYLOR PREMISES and walked to the driver window of the dark sedan, where he had a brief four-second exchange and then left to walk back into TAYLOR PREMISES.

158. The law enforcement database Accurint associates 9104 with BG. CI-2 previously said that BG was a methamphetamine dealer/user in the Benton Heights area (where the TAYLOR PREMISES is located). Based on my training, experience, knowledge of the investigation, and the phone call from BG shortly before the exchange, I believe that BG was in the dark sedan and went to the TAYLOR PREMISES for the purpose of

acquiring drugs from GRIFFIN. I believe GRIFFIN provided BG the drugs during the very short meeting with the dark sedan.

**GRIFFIN delivers methamphetamine to AUSTIN**

159. The UC and AUSTIN negotiated a deal for a Smith and Wesson pistol. On December 8, 2022, the UC called AUSTIN and requested to meet. AUSTIN instructed the UC to meet with him in the area of 1210 Union Avenue in Benton Harbor, where he provided the UC a Smith and Wesson SD9 VE 9-millimeter pistol bearing serial #FZE6969 in exchange for \$600.<sup>37</sup> The SD9 was previously reported to the Lansing (Illinois) Police Department as stolen in 2019.

160. The UC then requested four ounces of methamphetamine. AUSTIN instructed the UC to drive around for a short time and said he would get the methamphetamine. As the UC departed, AUSTIN's calling records indicated he had multiple calls with 1428. Shortly before the meeting between the UC and AUSTIN began, investigators monitoring video surveillance of the TAYLOR PREMISES observed GRIFFIN drive away from the TAYLOR PREMISES in the Routan, on which a GPS tracking device had recently been placed pursuant to a State of Michigan search warrant. The Routan traveled to the CONCORD PREMISES and was there when AUSTIN placed the call to 1428. Shortly after receiving the call from AUSTIN, GRIFFIN traveled away

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<sup>37</sup> I am informed that this firearm was manufactured outside the State of Michigan and, therefore, traveled through interstate commerce before being sold in Benton Harbor in December 2022.

from the CONCORD PREMISES and drove to 229 S. Crystal Avenue. Aerial surveillance observed GRIFFIN park near a storage barn on the property and then place something in the rear hatch of the Routan. GRIFFIN then drove directly to 1210 Union Avenue where he met with AUSTIN and conducted a hand-to-hand transaction at the front passenger window without accessing the rear compartment area. Around this time, AUSTIN called the UC and told the UC to come back for the methamphetamine. The UC drove back and exchanged \$1260 for the four ounces of methamphetamine.

161. On December 9, 2022, GRIFFIN conducted another hand-to-hand transaction with BG. On that date, at approximately 3:47 p.m., GRIFFIN answered a short call from 9104, believed to be used by BG. Around the same time, video surveillance captured an older model silver Chevrolet Cobalt pull up in front of TAYLOR PREMISES. Approximately two minutes later, GRIFFIN exited the front door of TAYLOR PREMISES, had a three-second exchange with the driver at the driver's window, and then went back inside TAYLOR PREMISES. The Cobalt immediately departed after the exchange.

162. BG's address on file with the Michigan Secretary of State is 2356 Stratton Road in Benton Harbor. BG's mother, shares that address with him and is the registered owner of a silver Chevrolet Cobalt bearing Michigan license plate EPN3893. BG was an absconder from Berrien County probation and, as such, had an active arrest warrant. On December 11, 2022, Berrien County deputies located and arrested BG at his residence. During post-*Miranda* questioning, BG admitted he was a heroin user, that there were used heroin needles in his room, but denied consent for deputies to search his room. During the arrest, BG's mother told deputies that BG is a drug addict who uses drugs daily.

163. Based on my training, experience, and knowledge of the investigation, I believe that on December 9, 2022, BG called GRIFFIN and drove his mother's Cobalt to receive drugs from GRIFFIN. This was the second hand-to-hand drug transaction between BG and GRIFFIN at the TAYLOR PREMISES in the span of four days. I believe this shows that, in addition to the CONCORD PREMISES, GRIFFIN also uses the TAYLOR PREMISES to store and distribute drugs.

#### **Facebook attribution**

164. Investigators attributed the users to the Facebook accounts referenced above in the following manner:

a. **Evorion ANDERSON - Facebook user "FourUp Marlow," account seized in 1:22-mj-412 (RK).** Investigators identified ANDERSON as the user of this account through photographs associated with the account, which depicted ANDERSON. The profile image, which is typically reserved for the user of a Facebook account, is a picture of ANDERSON. CI-2 identified this account as used by ANDERSON. And, in messages sent from this account, the user on multiple occasions identified his phone number as (269) 861-3311, which investigators have concluded is ANDERSON's phone number for the reasons explained above.

b. **Jayvon ANTHONY - Facebook user "Beezyworld Jayvo," account seized in 1:22-mj-429 (RK).** Investigators identified ANTHONY as the user of this account through the content of the account's communications, detailed above, and the photographs and videos associated with the account, many of which depict

ANTHONY. The username includes his nickname “Jayvo,” which is simply his first name, “Jayvon,” without the letter “n.” In addition, in messages this account received, multiple other Facebook users refer to the account user as Jayvon.

c. **Earl AUSTIN IV - Facebook user “Benjamin Segal,” account seized in 1:22-mj-485 (SJB).** Investigators identified AUSTIN as the user of this account through photographs and videos associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of AUSTIN. In addition, CI-2 identified this as AUSTIN’s Facebook account.

d. **Omarion BRANCH - Facebook name “Esons OBG.”** Investigators identified BRANCH as the user of this account through photographs associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of BRANCH. And, the overwhelming amount of publicly accessible images associated with the account are of BRANCH.

e. **Demarcus GREELY - Facebook user “BankHead BigOpp,” account seized in 1:22-mj-293 (SJB).** Investigators identified GREELY as the user of this account through photographs and messages associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of GREELY standing with his deceased brother, who was also named Demarcus Greely. As described above, GREELY also described buying the Clover Gun from TOREZ, which was later seized from him. In addition, in Facebook messages sent from this account days after GREELY was arrested and the Clover



Gun was seized, this account's user stated that he had just been caught with a switch.

f. **LYONDRE Burnett - Facebook user "GioGang FatDre," account seized in 1:22-mj-429 (RK).** Investigators identified LYONDRE as the user of this account through photographs associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of LYONDRE. The overwhelming amount of publicly accessible images associated with the account depict LYONDRE. In addition, the registered email address associated with the account is lyondreburnett123456@yahoo.com.

g. **Demetrius SEUELL - Facebook user "TY Stepper Strap" and "BigOpp Gloxky," accounts seized in 1:22-mj-429 (RK).** Investigators identified SEUELL as the user of these accounts for the reasons explained below:

i. **TY Stepper Strap.** I compared many of the photos and videos from the account with SEUELL's driver's license photograph and confirmed they were the same person. The messaging content indicates the user is SEUELL. On August 11, 2022, Facebook user "Rambo Noochie" requested this account holder's name and zip code. In response, the user provided zip code 49022 (Benton Harbor) and SEUELL's full name, "Demitirus Seuell."

ii. **BigOpp Gloxky.** The messaging content indicates the user is SEUELL. As described above, on July 13, 2022, this account distributed an image of SEUELL and BURTON holding firearms. In that image, SEUELL

was holding what appeared to be the Glock model 23 pistol with a red switch affixed that was seized during a traffic stop on July 27, 2022. In addition, SEUELL used this account to discuss with TOREZ his July 27 traffic stop and subsequent arrest in a manner that made clear the user is SEUELL.

165. **TOREZ Burnett – Facebook user “GramSlam Kabbo,” account seized in 1:22-mj-375 (SJB).** Investigators identified TOREZ as the user of this account through the photographs associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of TOREZ. The overwhelming amount of publicly accessible images associated with the account depict TOREZ. In addition, in messages this account received, multiple other Facebook users refer to the account user as Torez.

166. **Eric WILLIAMS – Facebook user “Franklin Hatchett,” account seized in 1:22-mj-429 (RK).** Investigators identified WILLIAMS as the user of this account through the photographs associated with the account. The profile image, which is typically reserved for the user of a Facebook account, is a picture of WILLIAMS. The overwhelming amount of publicly accessible images associated with the account depict WILLIAMS. And, in Facebook messages, multiple users have referred to this account’s user as “Eric.”

#### **Forensic examination**

167. Based on my knowledge, training, and experience, I know that electronic devices can store information for long periods of time. Similarly, things that have been viewed via the internet are typically stored for some period of time on the device. This information can sometimes be recovered with forensics tools.

168. *Forensic evidence.* As further described in Attachment B, this application seeks permission to locate not only electronically stored information that might serve as direct evidence of the crimes described on the warrant, but also forensic evidence that establishes how the electronic devices were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence might be on the electronic devices because:

- a. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file).
- b. Forensic evidence on a device can also indicate who has used or controlled the device. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence.
- c. A person with appropriate familiarity with how an electronic device works may, after examining this forensic evidence in its proper context, be able to draw conclusions about how electronic devices were used, the purpose of their use, who used them, and when.

d. The process of identifying the exact electronically stored information on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. Electronic evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

e. Further, in finding evidence of how a device was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium.

169. *Nature of examination.* Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit the examination of the electronic devices consistent with the warrant. The examination may require authorities to employ techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of the device to human inspection in order to determine whether it is evidence described by the warrant.

### **Conclusion**

170. Base on the facts described above, there is probable cause to believe that that Subject Premises contain evidence of the respective Target Offenses, as detailed in the chart above.

171. Moreover, there is probable cause to believe that the Target Subjects have committed the offenses detailed above.